

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 19712 of 2007(V)

PETITIONER:

RAMAKRISHNAN, AGED 50 YEARS,
S/O LAKSHMANAN, KAVUNGAPARAMBIL, PALATHURUTH,
CHENDAMANGALAM.

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENTS:

1. DISTRICT COLLECTOR,
ERNAKULAM.
2. TAHSILDAR, TALUK OFFICE,
N.PARUR.
3. VILLAGE OFFICER,
CHENDAMANGALAM.
4. SOUTH INDIAN BANK,
BRANCH CHENDAMANGALAM,
REPRESENTED BY ITS BRANCH MANAGER.

BY ADV. SHRI.BASANT BALAJI, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 19712 of 2007

Dated, this the 27th day of June, 2007

J U D G M E N T

Since the amount involved is only very small i.e. below Rs. 20,000/- and since so many banks are granting facility to settle the liability under the OTS scheme, WP(C) is disposed of directing 4th respondent to grant OTS benefit, if available, or at least waive penal interest and grant reasonable time to the petitioner to settle the liability, sought to be recovered through RR proceedings. Petitioner will produce copy of the judgment before the 4th respondent and convey the time, within which petitioner is willing to make payment exclusive of penal interest and other incentives, so that the Bank will grant reduction. In any case, if petitioner clears the arrears within three months from today, there will be direction to the 4th respondent to waive complete penal interest. Respondents 2 and 3 are directed to withhold recovery proceedings for two months from now and recovery proceedings will be continued thereafter only if petitioner commits default in making payment under the facility granted to the petitioner for settling the

liability. If petitioner is not granted any such facility as above, petitioner is granted six equal monthly installments to clear the arrears, first of which will be paid on or before 20th August and balance on or before 20th of five succeeding months. Collection charges should not be recovered from the petitioner if payments are made voluntary. Collection charges can be recovered by the Tahsildar, in the case of recovery after default.

(C.N.RAMACHANDRAN NAIR, JUDGE)